IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 20TH SEPTEMBER 2007 / 29TH BHADRA 1929

WP(C).No. 28011 of 2007(I)

PETITIONERS:
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1. ARUN BENJAMIN, AGED 20 YEARS,
S/O BENJAMIN, ARRESSERIL HOUSE,
THUMPOLY, ALAPPUZHA.

2. SARATH BABU, 'ARADHANA',
PALLIPPAD P.O., HARIPPAD.

3. EBY NATH, 'PRASADAM',
NEAR THIRUVILAKKU TEMPLE,
AVALOOKUNNU P.O., ALAPPUZHA.

BY ADV. SRI.S.SANAL KUMAR
SMT.BHAVANA VELAYUDHAN

RESPONDENTS:
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1. THE PRINCIPAL,
UNIVERSITY INSTITUTE OF TECHNOLOGY,
UNIVERSITY OF KERALA, GOVT. MOHAMMEDANS HIGH SCHOOL CAMPUS, COLLECTORATE P.O., ALAPPUZHA.

2. MRS. JIBINI KURIAN,
CLASS TEACHER-IN-CHARGE OF CEMESTER 5 BBA,
UNIVERSITY INSTITUTE OF TECHNOLOGY,
UNIVERSITY OF KERALA, GOVERNMENT MOHAMMEDANS HIGH SCHOOL CAMPUS, COLLECTORATE P.O., ALAPPUZHA.

3. UNIVERSITY INSTITUTE OF TECHNOLOGY,
UNIVERSITY OF KERALA, GOVERNMENT MOHAMMEDANS HIGH SCHOOL CAMPUS, COLLECTORATE P.O., ALAPPUZHA.

BY SRI.M.RAJAGOPALAN NAIR, SC FOR UNIVERSITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 28011 OF 2007
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Dated this the 20th day of September, 2007

J U D G M E N T

Ext.P2 is an order issued by Principal of a College placing some students under suspension pending enquiry for indiscipline. Ext.P2 states that the students behaved indecently and disobeyed the instructions of the class in charge and other teachers. It is also stated that ignoring the warnings given, they used to come to college wearing dresses which are unsuited to a College and that when matters were brought to the notice of the students, they instigated others and took leadership for boycotting classes. It was taking note of all these facts that the Principal has issued Ext.P2 placing the students under suspension.

2. Ext.P2 discloses that the matter is one affecting internal discipline of an educational institution. The students are bound to obey the instructions of the Principal and whenever that is not done, they are bound to be visited with consequences

including suspension. Principal is the best judge to decide what is best for the campus and Article 226 cannot be stretched to extreme limits to interfere in a disciplinary action taken against students. I see no reason to interfere with Ext.P2.

3. However, the learned counsel for the petitioners submit that they are willing to abide by any instructions that is given by the Principal. If that be so, it is for the students concerned to make representations to the Principal and not to the High Court. Petitioners will be at liberty to move the Principal in this behalf, in which event, it is for the Principal to consider the same and do what he considers appropriate.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp